

Application No. 10/064,220
Amendment and Election dated March 15, 2006
Reply to Office Action of July 1, 2005

Remarks/Argument

Applicants thank the Examiner for the Office Action of July 1, 2005. This Amendment is in full response thereto.

The Examiner required a restriction between a chemical delivery system (claims 1-26) and a method for delivering chemicals (claims 27-36). Applicants elect the chemical delivery system with traverse. However, since Applicants have cancelled all the claims and presented new sets of claims, they believe that claims 37-56 are directed to the chemical delivery system and claims 57-72 are directed to the method for delivering a chemical. Applicants traverse the restriction because the Examiner has not indicated which class and subclass each of the inventions are classified within and therefor has not shown that they have acquired a separatus status in the art.

The Examiner also required an election in the event that Applicants elected the chemical delivery system. This election was conditioned upon the event that Applicants intended that dependent claims 3-21 included only a subset of the limitations of claim 1 instead of incorporating all of the limitations of claim 1. In this event, the Examiner required that Applicants elect from the list of: A (chemical container block), B (recharge container block), C (pressurization gas block), D (purge gas block), E (waste recovery block), F (vacuum block), G (solvent supply block), H (degas block), and I (filtration block). In order to fully respond to the Examiner's restriction to avoid abandonment of the application, Applicants elect the chemical container block with traverse. Applicants traverse this election because all of claims 1-21 have been cancelled. While new claims 37-56 are directed to a chemical delivery system, the Examiner will notice that dependent claims 38-56 include all of the limitations of claim 1 and not just subsets of those limitations.

Applicants have presented new claims 37-72 in order prosecute an aspect of the invention. They respectfully assert that they are patentable over the art of record and solicit allowance of the application.

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Applicants note that this application became abandoned on January 2, 2006 by operation of law because of the lack of timely response to the July 1, 2005 Office Action. Applicants unintentionally allowed this application to become abandoned and have contemporaneously filed a Petition for Revival of an Application for Patent Unintentionally Under 37 CFR 1.137(b) along with the associated fee. Applicants request that the application be revived upon this basis.

Should the examiner believe a telephone call would expedite the prosecution of the application, he is invited to call the undersigned attorney at the number listed below. A Petition for a Three Month Extension of Time and the Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) has been contemporaneously filed with this submission along with the associated fees. Otherwise, it is not believed that any additional fee is due at this time. If that belief is incorrect, please debit deposit account number 01-1375. Also, the Commissioner is authorized to credit any overpayment to deposit account number 01-1375.

Respectfully submitted,



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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being transmitted via facsimile to telephone number 571-273-8300 on this 15th day of March, 2006.



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